



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

BARNES & THORNBURG LLP
P.O. BOX 2786
CHICAGO, IL 60690-2786

COPY MAILED

DEC 22 2006

OFFICE OF PETITIONS

In re Application of Cordina et al. :
Application No. 10/672,711 :
Filing Date: September 26, 2003 :
Attorney Docket No. 920476-94867 :

Decision on Petition

This is a decision on the petition under 37 CFR 1.181, filed September 18, 2006, to withdraw the holding of abandonment.

The petition is **granted**.

Facts:

A Notice of Allowance was mailed on May 5, 2006. The Notice set a statutory period for reply of three (3) months.

A reply was not filed within three months.

On or about September 8, 2006, petitioner diligently used PAIR to inquire into the status of the application. Petitioner discovered papers had been mailed May 5, 2006. PAIR allowed petitioner to view the papers mailed May 5, 2006, including the Notice of Allowance.

A Notice of Abandonment was mailed September 11, 2006.

The instant petition was mailed September 13, 2006, in compliance with 37 CFR 1.8, and was received September 18, 2006.

Petitioner contends the papers mailed May 5, 2006, were never received.

Discussion:

Petitioner has established non-receipt of the Notice of Allowance and other papers mailed May 5, 2006. Therefore, the Notice of Abandonment is hereby vacated and the holding of abandonment withdrawn.

The Office of Publications will be informed of the instant decision and will take steps to ensure the application issues as a patent in due course.

Telephone inquiries regarding this communication should be directed to Petitions Attorney Steven Brantley at (571) 272-3203.

A handwritten signature in black ink, appearing to read 'C. Brantley', with a large, stylized initial 'C'.

Charles Steven Brantley
Senior Petitions Attorney
Office of Petitions.